

## WOOD, HERRON &amp; EVANS, L.L.P.

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKE, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, PH.D.

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
KRISTI L. DAVIDSON  
P. ANDREW BLATT, PH.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, PH.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
WESLEY L. STRICKLAND (VA, DC BAR ONLY)  
STEVEN W. BENINTENDI, PH.D.

TECHNICAL ADVISORS  
HENRY M. LABODA, PH.D.

May 19, 2004

## FACSIMILE COVER SHEET

To: Jordan M. Lofdahl  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Fax: 703-872-9306

## Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Response to Restriction Requirement  
containing Certificate of Facsimile  
Transmission (2 pages)

From: Douglas A. Scholer  
Reg. No. 52,197

Re: US Application  
Serial No.: 10/700,412  
Filed: November 4, 2003  
Applicant: Robert McClure et al.  
Art Unit: 3644  
Confirmation No.: 5783  
Our Ref.: DBS-02  
Pages: 3 (including cover sheet)

MESSAGE/COMMENTS  
OFFICIAL

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (3 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Jordan M. Lofdahl, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 703-872-9306 on May 19, 2004.

*Judith L. Volk*  
Judith L. Volk

*May 19, 2004*  
Date

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Judith L. Volk  
Judith L. Volk

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DBS/02  
Confirmation No. 5783

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert McClure et al.  
Serial No.: 10/700,412  
Filed: November 4, 2003  
For: POSITIONAL BLASTING SYSTEM

Art Unit: 3644  
Examiner: Jordan M. Lofdahl  
Atty. Docket No.: DBS/02

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted to reply to the Office Action dated April 19, 2004, within the one-month period for response. In the Office Action, the Examiner subjected claims 1-69 to restriction, and more particularly, grouped the claims as follows:

- Group I (Claims 1-9, drawn to a blasting system);
- Group II (Claims 10-24, drawn to a method of preparing a detonator and discharging charges); and
- Group III (Claims 25-28, drawn to a program product).

Applicants elect Group I (claims 1-9) with traverse. Applicants respectfully disagree that Groups I, II, and III are patentably distinct, and therefore, traverse the election requirement.

Page 1 of 2  
Serial No. 10/700,412  
Response to Restriction Requirement dated May 19, 2004  
In Response to Restriction Requirement of April 19, 2004  
WH&E DBS/02  
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Applicants assert a relationship is disclosed between Groups I, II, and III for the reasons discussed and advanced as follows:

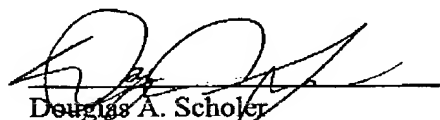
As recited in the claims and supported in the specification, the invention includes a system for detonating a plurality of charges. As recited in each independent claim of Groups I, II, and III, the invention relies on blasting information automatically determined using a programming unit/positional device. The claims of Groups I, II, and III recite similar such functionality, among other common features. As dictated by these common features, all embodiments of the invention claimed in Groups I, II, and III rely on similar modes of operation, function, and affect.

Early and favorable examination on the merits is respectfully requested upon receipt and entry of this Amendment.

If there are any questions regarding this paper, or which might otherwise further this case onto allowance, please contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

5/19/04  
Date

  
Douglas A. Scholer  
Reg. No. 52,197  
WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
(513) 241-2324